REMARKS

In the Office Action[1], the Examiner rejected claims 1, 4-6, and 9 under

35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication App. No.

2002/0078447 to Mizutome et al. ("*Mizutome*").

Applicant has amended claims 1, 5, 6, and 9. Claims 1, 4-6, and 9 remain

pending.

Applicant respectfully traverses the rejection of claims 1, 4-6, and 9 under

35 U.S.C. § 102(e) as being anticipated by *Mizutome*.

Claim 1 recites an electronic apparatus comprising:

> . . .
>
> a generation means for generating a <u>new image including the
> selected screen layout, a first constitutive element selection area, and a
> second constitutive element selection area, wherein the first constitutive
> element selection area and the second constitutive element selection area
> are not displayed within the selected screen layout</u>; and
> a second selection means for selecting <u>a first constitutive element
> displayed within the first constitutive element selection area and a second
> constitutive element displayed within the second constitutive element
> selection area</u>, wherein
> the second constitutive element selection area <u>displays more than
> one source of information</u>, and the generation means generates the
> program.

(emphasis added). *Mizutome* does not disclose the claimed combination of a

"generation means," "second selection means," and "second constitutive element

selection area."

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Mizutome discloses a data processing apparatus "for displaying or outputting information regarding a video, audio, and so on" (paragraph 0012). Fig. 13-17C of *Mizutome* depict screen layouts. In *Mizutome*, "the user selects a preferred screen layout among several types of preset screen layouts, and selects it by pushing a determination key 210" (paragraph 0081).

Figs. 16-18 of *Mizutome* disclose screens with multiple areas and displays. Even assuming that *Mizutome* discloses "a plurality of screen layout options that are consecutively displayed," which Applicant does not concede, claim 1 requires "a generation means for generating a new image including the selected screen layout, a first constitutive element selection area, and a second constitutive element selection area, wherein the first constitutive element selection area and the second constitutive element selection area are not displayed within the selected screen layout."

As depicted in Figs. 18A-18D of *Mizutome*, a user may input a command for the display of news or weather. However, as recited in claim 1, the "new image" displays 1) "the selected screen layout," 2) "a first constitutive element selection area," and 3) "a second constitutive element selection area." Moreover, the "first constitutive element selection area" and the "second constitutive element selection area" <u>are not displayed within</u> the "selected screen layout." In contrast, all information in *Mizutome* is displayed within the selected screen.

Accordingly, *Mizutome* does not teach or suggest the claimed combination of elements including, for example, "a generation means for generating a new image including the selected screen layout, a first constitutive element selection area, and a second constitutive element selection area, wherein the first constitutive element

selection area and the second constitutive element selection area are not displayed within the selected screen layout," as recited in claim 1.

Therefore, *Mizutome* also does not teach or suggest "a second selection means for selecting a first constitutive element displayed within the first constitutive element selection area and a second constitutive element displayed within the second constitutive element selection area," and wherein "the second constitutive element selection area displays more than one source of information," as further recited in claim 1.

Mizutome fails to anticipate claim 1, and claim 1 is allowable. Claim 4 is also allowable at least due to its depending from claim 1. Independent claims 5, 6, and 9 are allowable over *Mizutome* for at least the same reasons discussed above in regard to claim 1.

In view of the foregoing, Applicant respectfully requests withdrawal of the rejection. Pending claims 1, 4-6, and 9 are in condition for allowance, and Applicant requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 1, 2008   By:___ /David W. Hill/ _____
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